

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

MITCHELL LEE VARNELL,

Petitioner,

v.

PAT GLEBE,

Respondent.

Case No. C10-1151-JCC

**ORDER DISMISSING PETITION  
FOR WRIT OF HABEAS CORPUS  
AND DENYING MOTION TO  
OFFER EVIDENCE**

The Court, having reviewed petitioner's petition for writ of habeas corpus (Dkt. 5) submitted under 28 U.S.C. § 2254, the Report and Recommendation of Brian A. Tsuchida, United States Magistrate Judge, the governing law, and the balance of the record, does hereby find and Order:

- (1) The Court adopts the Report and Recommendation. (Dkt. No. 29.)
- (2) Petitioner's habeas petition and this action are **DISMISSED** with prejudice.
- (3) Petitioner's Motion to Offer Evidence is **DENIED**. (Dkt. No. 20.)
- (4) Petitioner's motion to strike is **DENIED**. (Dkt. No. 30.)
- (4) A certificate of appealability is **DENIED**.

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ORDER DISMISSING PETITION FOR WRIT  
OF HABEAS CORPUS AND DENYING  
MOTION TO OFFER EVIDENCE- 1

1 (5) The Clerk is directed to send copies of this Order to petitioner and to Judge  
2 Tsuchida.

3 DATED this 27th day of May, 2011.  
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A handwritten signature in black ink, appearing to read "John C. Coughenour". The signature is fluid and cursive, with the first name "John" and last name "Coughenour" clearly distinguishable.

JOHN C. COUGHENOUR  
United States District Judge